

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Scheller, D. *et al.*
Serial No.: **10/565,713**
Filed: 25 January 2006
Title: SUBSTITUTED 2-AMINOTETRALIN FOR THE TREATMENT OF DEPRESSION
Group Art Unit: 1627
Examiner: U. Ramachandran
Confirmation No.: 7929
Docket No.: **6102-000008/US/NP**
Client Ref.: P/Sche/II/5/03

SUBMITTED ELECTRONICALLY VIA EFS-WEB

19 July 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE ACTION DATED 19 APRIL 2011

This paper is responsive to the non-final Office Action dated 19 April 2011 in the above-referenced application, in which a shortened statutory period of three months has been set. This response is timely filed, and no fee for extension of time is believed to be owed.

1. Non-statutory double patenting over Serial No. 10/565,699

Claims 17-35 and 37-67 are provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as allegedly unpatentable over Claims 13-20, 24-47, 60-71, and 83 of copending application Serial No. 10/565,699 (the '699 application).

At the outset, Claims 18-23, 56, 59, 61, 63, and 65-67 were previously cancelled. Additionally, Claim 17 is directed to a method of treating depression in a mammal by administering to the mammal a therapeutically effective amount of 5,6,7,8-tetrahydro-6-[propyl-[2-(2-thienyl)ethyl]amino]-1-naphthol or a physiologically acceptable salt thereof. Claim 17 is not limited to a "method of treating depression comprising administering rotigotine" and does not include a limitation for "additional drugs that include